

SENATE BILL 2114

By Bell

AN ACT to amend Tennessee Code Annotated, Title 36
and Title 37, relative to child custody.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 2, Part 3, is amended by
adding the following as a new section:

(a) In all contested custody cases involving unmarried parties and where a paternity test by an accredited laboratory is known to exist or has been requested of or by the court, the court shall, consistent with due process, expedite the contested custody proceeding by entering such scheduling orders as are necessary to ensure that the case is not delayed, and such case must be given priority in setting a final hearing of the proceeding and must be heard at the earliest possible date over all other civil litigation other than contested adoption and termination of parental rights cases pursuant to § 36-1-124 and child protective services cases arising under title 37, chapter 1, parts 1, 4, and 6.

(b) In all contested custody cases involving unmarried parties that are appealed from the decision of a trial court, the appellate court shall, consistent with its rules, expedite the contested custody case if a paternity test by an accredited laboratory is a part of the record, by entering such scheduling orders as are necessary to ensure that the case is not delayed, and such case must be given priority over all other civil litigation, other than contested adoption and termination of parental rights cases pursuant to § 36-1-124 and child protective services cases arising under title 37, chapter 1, parts 1, 4, and 6.

(c) It is the intent of the general assembly that the permanency of the placement of a child who is the subject of a contested custody proceeding involving unmarried parties and a paternity test by an accredited laboratory not be delayed any longer than is absolutely necessary consistent with the rights of all parties, but that the rights of the child to permanency at the earliest possible date be given priority over all other civil litigation other than adoption and termination of parental rights cases pursuant to § 36-1-124 and child protective services cases arising under title 37, chapter 1, parts 1, 4, and 6.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.